



Traffic Commission

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8560, Fax: (314) 862-0694

CITY OF UNIVERSITY CITY MINUTES OF THE TRAFFIC COMMISSION November 8, 2017

1. Call to Order

At the Traffic Commission meeting of University City held in the Heman Park Community Center, on Wednesday, November 8, 2017, Chairman Jeff Hales called the meeting to order at 6:31 p.m.

2. Roll Call

In addition to Chairman Hales, the following members of the commission were present:

- Jeffrey Mishkin
- Curtis Tunstall
- Derek Helderman

Also in attendance:

- Errol Tate(non-voting member – Public Works Liaison)
- Councilmember Bwayne Smotherson (non-voting member—Council Liaison)
- Sergeant Shawn Whitley (non-voting member – Police Department Liaison) -
- Sergeant McLean (non-voting member – Police Department Liaison Alternate)
- Sinan Alpaslan – Director of Public Works & Parks

Absent:

- Bart Stewart – Excused
- Jeff Zornes - Excused

3. Approval of Agenda

Commissioner Mishkin moved to approve the agenda and was seconded by Commissioner Tunstall. The agenda was approved unanimously.

4. Approval of the Minutes

A. October 11, 2017

Commissioner Helderman made a motion to approve the minutes of the October 11, 2017 meeting and was seconded by Commissioner Mishkin. The motion carried unanimously.

5. Agenda Items

a. COCA Expansion

Mr. Tate introduced the Coca Expansion plans in conjunction with the Washington University Garage.

Jeff Ryan, (168 N. Meramec, Clayton) introduced himself as a Principal at Christner Architects and presented the plans for the Coca Expansion Project. He stated that Washington University has begun construction of parking



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garage across from COCA with over 200 parking spaces and that COCA has a signed contractual agreement for a 30 year lease of 128 spaces in that garage. The 128 spaces are the spaces calculated to be necessary for the project. He stated they would be demolishing an addition built to COCA in 2003, removing 10,000 square feet of space and replaced with a newly built theatre as part of the expansion. The expansion he stated will total 45,000 square feet. Mr. Ryan presented the parking analysis, which includes 69 existing spaces on their lot and an agreement for 24 spaces behind the Epworth building. With the expansion, he stated Coca's existing 69 spaces would be replaced with the 128 spaces leased in the Washington University Garage and the 24 additional spaces behind Epworth would be retained. The new facility would also have 8 temporary parking spaces in a new pickup driveway. He stated the new facility would have 12 bike racks as well. He stated their parking methodology was done in conjunction with University City.

Commissioner Mishkin asked what was to prevent a COCA patron from parking in a non-COCA parking space in the garage. Mr. Ryan responded that it would be up to management and communication and enforcement if necessary. Mr. Ryan restated that there is a 30 year lease and it is renewable.

Mr. Ryan explained that during construction, a portion of the parking lot would be eliminated for a "laydown space" and explained the logistics of parking during renovation parking and building access during renovation and construction. During construction, Mr. Ryan noted that the construction workers would park north of Delmar and small trucks would utilize the alley behind COCA for ingress and egress. He stated that the construction of the addition to COCA would not begin until the garage is completed and in use. He stated that they would be asking University City temporarily restrict parking on Trinity during construction.

Chairman Hales asked how long of a space the temporary drop off area has enough space to queue cars for pickup. Jennifer Stoffel from COCA stated that the temporary pickup area will be larger than the existing space.

Commissioner Mishkin asked if the entrance from Delmar would be maintained for ingress and egress to the garage once completed. Steve Condrin from Washington University stated that the access from Delmar would be for the parking behind Castlereagh Apartments and the 20 spaces in the garage for the Castlereagh Apartments and would not be able to access and connect the upper portion of the garage and stated the egress from the Castlereagh garage spots would have to exit to Washington.

Chairman Hales asked Mr. Condrin to remain at the microphone and stated that this is an unusual project since there are three projects going on and they all relate to the garage. He noted that while this item is related to COCA, he



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stated that the commission has not received any information related to the Castlereagh Apartment renovations. He asked how many units will be in the Castlereagh Apartments, how many beds will be in the building and how many parking spaces will be provided for the building. Mr. Condrin stated there will be 60 units and an increase to 75 beds and the onsite parking would include 34 parking spaces including the 20 spaces in the garage. He also indicated there was overflow parking available at neighboring properties within 1000 feet. He stated the demographic for the building would be graduate students and they found that the need for parking is less than 50%.

Chairman Hales asked if the 206 spaces in the garage include the 20 spaces in the garage for Castlereagh. Mr. Condrin explained that the agreement between the 560 Music School building, COCA and Castlereagh calls for 50 parking spaces for the 560 Building, 128 spaces for COCA and 20 spaces for the Castlereagh Apartments.

Chairman Hales stated his other question relates to the terms of the lease for the garage spaces with COCA. He stated that the concern for the commission is both now and in the future, whether it be 10 years, 5 years, or 30 years down the road and asked what the contract states, what the severability is and what the transferability is. He stated that if that is not addressed, it becomes the council's problem and the commission's problem at a later date and stated that seems to be the issue no one wants to talk about.

Jim Dillon, Attorney at Thompson Coburn responded stating that he represents COCA and had assisted COCA with the negotiation of the lease with Washington University. Mr. Dillon stated that he could assure the commission that it is a fully executed document for a 30 year term that absolutely entitles COCA to the full and exclusive use of 128 spaces in the parking garage. He stated that the lease is also renewable and COCA can exercise that right unilateral for a total term of 60 years.

Chairman Hales asked if there is any clause allowing the agreement to be severed by Washington University at any point. He asked that if in 10 years, Washington University has bought another building and needs those spaces for their own use, does the University have a way out of the contract? Chairman Hales stated that he appreciated that Mr. Dillon was present but stated that without seeing the contract, and not knowing Mr. Dillon, that the city has been told in the past, particularly by Washington University that there would not be an impact on parking, and in the last meeting there was discussion how Washington University's mixed use development on Delmar has impacted the availability of parking on Enright due to student parking resulting in a request for the installation of parking meters. Chairman Hales stated that when that development went in, the city was told that it would not be an impact on the neighborhood and clearly it was. Chairman Hales stated



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that he didn't understand the secrecy behind the contract for the garage and why it had not been produced.

Mr. Dillon stated that obviously it is a private agreement between two private parties and that they do not have interest in disclosing the economics and other things and how they have come to terms on the contract. He stated that it's not that the agreement is secret, but that there is obviously the standard sensitivities that parties like that would have in disclosing what they are paying for what and those kinds of things. He stated that he can unequivocally represent to the commission and he thought Washington University had done the same in a letter to University City that he can tell the commission that there are not "outs" in the contract aside from a provision if COCA did not make its rental payments. He stated there was nothing that would allow Washington University to unilaterally scale back the number of spaces it is providing to COCA.

Chairman Hales stated he had one more question for Mr. Dillon having studied this project and having attended the last Plan Commission meeting. One of the things he stated he had found was a provision in the Zoning Code which relates to a lease for off-site parking stating "the owner of the off-site parking shall be bound by covenants filed in the St. Louis County Recorder of Deeds, requiring such owner, successors, assigns to maintain the required number of off-street parking spaces during the existence of such principal use utilizing the property for parking." Chairman Hales asked if a. that was the plan, and b., if that document has been prepared because if that document is not the contract, he stated he was not sure what that would be. He asked if those documents were something that could be shared with the commission because they would be public documents and would provide the nature of the terms of the agreement. Chairman Hales stated that as he reads the code, those details would need to be recorded.

Mr. Dillon stated that he would tell the commission that the plan under the terms of the lease is to record a memorandum of lease to acknowledge the fundamental terms of the lease which will state very clearly that 128 spaces will be made available for COCA at all times. Mr. Dillon stated that he was not aware of the requirement that any additional covenants to be placed on the record and they could certainly consider that if need be, but stated his understanding was that that was never raised by staff with COCA as they went through this process. He stated there would be a document filed with the Recorder of Deeds in the County of St. Louis which evidences the existence of the lease and the fact that pursuant to the lease the number of spaces will be allocated to COCA for the term of the lease which is 30 years.

Commissioner Mishkin asked if the garage would be made available to non-COCA, non-Washington University users. Jennifer Stoffel with COCA is for the garage to operate the way their parking lot operates now which have been



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servicing their needs and open to the community. Commissioner Mishkin asked if there would be a guard present to control access. Ms. Stoffel stated that they didn't need one but if they come to the conclusion that they do they will address it. Commissioner Mishkin asked what would stop a Washington University patron from parking in a COCA space and he didn't know if there would be a guard similar to the guard for the garage in the Loop that would physically be there. Ms. Stoffel stated that is not what they do now and that is not the plan.

Chairman Hales stated that at the last meeting it was represented that the arrangement between COCA and Epworth was an easement. Ms. Stoffel stated that was correct. Chairman Hales asked if that was a permanent easement. Ms. Stoffel stated it was a renewable easement.

Commissioner Mishkin thanked everyone for coming and stated at the last meeting the commission had agreed to hold a special meeting in late October. Commissioner Mishkin asked the University City Plan Commission Chairperson, Cirri Moran who was in attendance if the COCA plans had come before the Plan Commission. Ms. Moran stated they had not yet and asked Chairman Hales if she could speak before moving on to the next agenda item.

Commissioner Mishkin stated that the commission has regularly heard about Washington University students taking the liberty to park on streets near the University and have heard from residents in multiple neighborhoods requesting to restrict parking. He stated he could see a Washington University student parking in the new garage and going home for the Christmas holiday and asked if access would be gated or restricted.

Chairman Hales stated that Commissioner Mishkin raised a very good point and that the commission has had so many requests for residential parking restrictions on Lindell, Forsyth and Northmoor related to Washington University parking. He stated if the garage is accessible, it presents an issue for COCA and Washington University.

Chairman Hales stated he had one more question about the amount of traffic that would be utilizing the alley behind COCA during the construction process and asked if a dump truck would be using the alley to exit to Trinity. Mr. Ryan stated that they were asking for the parking to be temporarily restricted on the east side of Trinity during construction and that large trucks would not utilize the alley. Chairman Hales asked if the large trucks on Washington would be blocking traffic on Washington. Mr. Ryan stated that there will be times that traffic may be obstructed and would have to be managed by the contractors when deliveries take place. Chairman Hales also stated his concern for the April election and the 560 Music School's location as a polling place and stated it was a heavily used polling place. He asked if that had been considered as part of their planning. Mr. Ryan stated they had not considered



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it and stated that the garage would be nearing completion at that time. Chairman Hales suggested that they consider how to handle the Election Day traffic.

Cirri Moran (6652 Kingsbury Blvd) stated that Ames Place and Parkview residents use Trinity for their ingress and egress and have difficulties because of the narrowness of Trinity between Washington and Kingsbury. She stated she wanted to underscore to the city that she hoped the parking would be eliminated on the east side of Trinity because it is unsafe and the sightlines are bad.

Councilmember Paulette Carr (7901 Gannon Ave.) asked a question of COCA's attorney about the transferability of the lease of the garage spaces. She asked what happens if COCA decides to sell their property, are the parking spaces transferable. Ms. Carr asked if a redacted copy of the contract was going to be provided to the Plan Commission and the Council or was it going to be held as a private agreement. Jim Dillon stated that the COCA spaces would be available to whoever would purchase the COCA building and the lease could be assigned along with the sale of the building at that point. He stated he thought the lease as it is structured would permit that. Mr. Dillon stated regarding providing a redacted copy of the contract that they have had discussions with Washington University about doing that if it was absolutely necessary to do so. He reiterated that neither party is interested in their private negotiations becoming public but stated they could provide a redacted copy if it is necessary but suspected that would not be an easy task. He stated they could do that if it was absolutely critical to getting the project done. Councilmember Carr stated that it was absolutely critical and she could not vote for the project without seeing a redacted copy of the contract.

Chairman Hales stated that the commission has been asked to approve the traffic study provided by the CBB. He stated that following the last commission meeting he met with Councilmembers Smotherson and Carr, Mr. Tate, Ms. Riganti, Cirri Moran, and City Manager Charles Adams to discuss the process. From that, he said, they got the first clear understanding of what is being requested of the commission from Ms. Riganti and that is feedback and concerns of the Traffic Commission to be shared with the Plan Commission at their next meeting. Ms. Riganti specifically asked for the commissions comments to be compiled and a motion made to send the Plan Commission. He stated that in four years, that is the first time he had been provided clarity like that related to the process and stated it was very worthwhile.

Chairman Hales stated that the commission could approve the traffic study, but the study has already been done, so he wasn't sure what was to be approved. Mr. Tate stated they were looking for the Traffic Commission to provide any feedback or concerns related to the traffic study and approve it as



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it is. Chairman Hales asked if any recommendations in the traffic study that were not included in the plan. Mr. Tate stated that the only recommendation was a one-way street recommendation on Washington which was rejected.

Commissioner Helderman made a motion to approve the study as written by CBB taking into account the comments made. Commissioner Mishkin seconded the motion and the motion was unanimously approved.

Chairman Hales asked for comments to be presented to the Plan Commission specifically about our concerns related to traffic and parking related to the proposal because part of the Plan Commission's role is to consider parking and traffic related matters. Chairman Hales stated that he believed that his number one concern and he believed the number one concern of the Traffic Commission is the long-term parking arrangement between Washington University and Coca and found it troubling that the terms cannot be spelled out and would point to the zoning code section 400.210 which states "If parking is to be located elsewhere than on the lot on which the principal use is located, then the "off-site" property to be utilized for parking shall be in the same possession (either by deed, or by easement, or long-term lease which has a term equal to or exceeding the projected life or term of lease of the facility) as the owner of the principal use. In addition, the owner of property used for off-site parking shall be bound by covenants filed in the office of the St. Louis County Recorder of Deeds, requiring such owner, successors, assigns to maintain the required number of off-street parking spaces during the existence of such principal use utilizing the property for parking." Based on that, he stated it was surprising to him that the terms of the lease have not been shared because in his mind, something to that effect has to be filed with the Recorder of Deeds Office. Chairman Hales stated that if he were on the Plan Commission, he would want to see that document and specifically the severability and what happens if the COCA property were to be sold and also what would happen if Washington University were to sell the parking garage. He stated that his recommendation to the Plan Commission is that knowing the terms of the lease is absolutely critical.

Commissioner Helderman stated he didn't have concerns about the agreement, but asked if the bump out for the crosswalk was accepted. Mr. Tate stated it was.

Mr. Tate stated that he wanted to add that the construction traffic through the alley needs to be further studied.

Commissioner Mishkin made a motion send the two comments to the Plan Commission and was seconded by Commissioner Helderman. The motion carried unanimously.



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b. Hawthorne School Townhomes

Mr. Tate introduced the Nathaniel Hawthorne School Townhomes project. The project site plan already went to the council. The project is not anticipated to impact traffic.

Matthew Massiel with Screaming Eagle Development (7777 Bonhomme STE 210, Clayton, MO) presented the plans to convert the existing building into 37 apartments and construction of 10 additional townhomes. Parking will be increased to 55 spaces. He stated they did do an analysis of traffic compared to when the site was a school and that the traffic would not be impacted compared to its previous use.

Chairman Hales stated that he attended the Plan Commission meeting for this project and his only concern was that the traffic would enter the site from Carleton and not Hanley Road. He stated he spoke with Rosalind Williams on the Plan Commission who informed him that the right of way that was used for busses and church access and is a very desirable parcel for development and stated that he had no concerns over the parking lot access to the site remaining on Carleton. He stated that the volume of traffic from the site would certainly be less than it used to be at peak hours.

Councilmember Smotherson stated he didn't believe parking for the residents would be a problem at all. He stated his only concern was construction and he believed there should be an access for construction other than Carleton. He stated he thought it was a great project, but believed there should be a separate entrance and exit during construction.

Chairman Hales stated that he'd rather see construction traffic enter from Carleton if possible. If that would not be possible, he suggested that all construction traffic enter and exit Carleton at Hanley Road and not travel through the neighborhood.

Chairman Hales made a motion to send the comment to council that construction traffic preferably use Hanley Rd. for construction traffic and if that is not possible, request that the traffic enter and exit Carleton from Hanley Road and not go west of the site on Carleton. The motion was seconded by Commissioner Helderman and passed unanimously.

c. Purcell and Etzel – No Thru Street

Mr. Tate introduced the request for Purcell and Etzel for final comments to the council. He stated that there was some misunderstanding at the last meeting for a one-way street.

Chairman Hales stated his only comment was that the recommendation that goes to council be reviewed by the Traffic Commission before going to council



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since there is disagreement with some departments on the proposed closure and cited the previous Trinity Ave. closure recommendation. He stated that having listened to the meeting audio and transcribing the minutes, he still was not clear on the position of the Public Works and Parks department on the proposed closure since all that was stated at the previous meeting was they would support the closure if the council supported it.

Chairman Hales clarified that the Fire Department was opposed to the closure, the Police Department was opposed to the closure, the commission was unanimously in favor of the closure and the Public Works department has no position on the closure. Mr. Alpaslan responded that the Public Works Department shares police and fire department concerns as well as maintenance concerns and does not recommend the closure.

Commissioner Helderman asked if the commission made a recommendation at the last meeting. Chairman Hales confirmed that the commission unanimously supported the closure at the last meeting because the commission was presented with no information provided by staff, and had asked for the recommendations from the police and fire departments in the September meeting and were not provided any rationale for the reasons behind the police and fire department's recommendations. He stated that the commission also received 100% approval from the affected residents.

Mr. Alpaslan stated he provided the council cover letter that provides the rationale. Chairman Hales asked where on the cover letter is the position of Public Works. He also mentioned the amendment to the code regarding the closure of Center Drive in the 1960s just south of Delmar and mentioned how police and fire is required to go all the way to Old Bonhomme and circle back into that neighborhood and asked which closures are okay and which aren't. Mr. Alpaslan stated that there are streets that were closed prior to our current staff but explained that it is not an effective way of managing traffic volume and affects service. He stated he understands the residents desire the closure.

Chairman Hales asked how often a neighborhood requests a closure with 100% approval and stated he thought it was pretty unusual that not even one resident opposed it. Commissioner Tunstall expressed his understanding of the issues but supported the desires of the residents.

Mr. Alpaslan stated that he did not realize that there was a motion made in the October meeting to recommend the closure and stated there was no further need for action from the Traffic Commission. Chairman Hales stated that made more sense because he didn't understand why this was coming back.



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Chairman Hales also stated that the position of staff that was presented earlier is what the commission is looking for from staff in their recommendations to the commission, including the rationale for their position.

Commissioner Mishkin stated if this street gets closed he could see others coming to the commission with the same request and expressed that the commission needs to be consistent. Chairman Hales agreed and suggested to staff that if they believe a street closure should have a very high bar, then staff should recommend some parameters and go to council with the recommended standards for street closure just as there is a standard for residential parking permits.

6. Council Liaison Report

None

7. Miscellaneous Business

Chairman Hales stated that he mentioned that he would address an issue raised online about the Starbucks at North and South and Delmar. There was a post online about southbound traffic turning left from North and South into the Starbucks parking lot and blocking the northbound thru lanes on North and South. He stated that he replied that the roads are county roads but University City could address enforcement. He stated he drove by at about 9:15 that morning and observed a car turning left blocking the thru lane. He stated that he thought that was a very predictable area to address enforcement in the mornings between 7 and 9 am.

Sgt. Whitley stated that he would make sure the police are aware and continue enforcement.

Mr. Tate stated that in the New Year, they would like to get together with the Plan Commission and Community Development Department to clarify what issues should come before the Traffic Commission. Chairman Hales stated he believed that was a good idea.

Chairman Hales stated he had one other item under miscellaneous business and stated he read from the minutes related to the Starbucks in 2006 from the Board of Adjustment granting permission for the Starbucks drive through. He stated that is exactly the type of issue that should have come to the Traffic Commission and he stated that the minutes of the Traffic Commission do not reflect that the issue came before the commission. He stated generally if there is any project that may have traffic or parking impact in the city, it should come before the Traffic Commission.

Mr. Alpaslan asked about the trolley status. Councilmember Smotherson



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stated that he knew what had been reported in the news and had not received any other updates. Mr. Alpaslan stated that there are still outstanding punch-list items that have not been addressed, including a storm water drainage problem, and real-world exercises. There was also an issue over the fencing around the platforms which was not acceptable to the city and the trolley company responded that they did not have any more money to spend. He stated it is an on-going effort.

Chairman Hales stated that one of the things they needed to provide was an operational procedure such as braking and following distance. Mr. Alpaslan stated that they have not provided that and they were to provide an update by the end of the previous week on the bicycle safety issue including the track fillers and they had not done that. They had been trying to get samples of track fillers but have not gotten them yet.

8. Adjournment.

Chairman Hales adjourned the meeting at 8:13 pm.

Minutes prepared by Jeff Hales, Traffic Commission Chairman & Secretary